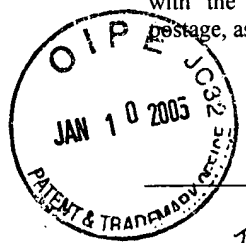


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RICHARD G. LIONE

Name of applicant, assignee or  
Registered Representative

Richard G. Lione  
Signature

1-6-05  
Date of Signature

Our Case No. 5935/57

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)
David G. Quinn	)
Serial No. 09/853,916	) Examiner: Matthew F. Desanto
Filing Date: May 11, 2001	) Group Art Unit No. 3763
Title: BLOOD VESSEL CATHETER	)

**REQUEST FOR RECONSIDERATION OF**  
**PATENT TERM ADJUSTMENT**  
**PURSUANT TO 37 C.F.R. § 1.705(d)**

Mail Stop Patent Ext  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Allowance has been received in the subject application and the issue fee is due on March 9, 2005. Pursuant to 35 U.S.C. § 154(b), the United States Patent and Trademark Office has calculated a patent term adjustment of 27 days.

Applicant's Attorney believes that Applicant is not entitled to any patent term adjustment in this application because a Terminal Disclaimer was filed on June 4, 2004. For that reason, reconsideration of this patent term adjustment is respectfully requested pursuant to 37 C.F.R. 1.705(d). Please charge the petition fee pursuant to 37 C.F.R. § 1.18(e) to Deposit Account No. 23-1925. Please charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

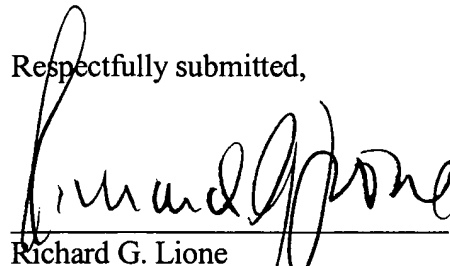
The patent term adjustment for application serial number 09/853,916 was calculated by the U.S. Patent and Trademark Office based on activities and associated dates detailed in the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History, attached as Exhibit A. Applicant's Attorney believes that errors and/or omissions in the calculation and/or the PAIR system Patent Term Adjustment History may have resulted in an incorrect patent term adjustment for U.S. serial number 09/853,916 as described in detail below. In addition, there were no circumstances during the prosecution of the application resulting in the patent that constitute a failure of the Applicant to engage in reasonable efforts to conclude processing or examination of the present application as set forth in 37 C.F.R. §1.704.

Period of adjustment for activities prior to mailing of Notice of Allowance

As detailed in the Patent Term Adjustment History that is attached as Exhibit A, the patent term adjustment indicated on the Notice of Allowance was 27 days. It is respectfully asserted that the patent term adjustment determined by the U.S. Patent and Trademark Office for U.S. patent number 09/853,916 may not be correct. Accordingly, Applicant's Attorney respectfully requests the U.S. Patent and Trademark office to reconsider, and make revisions to the PAIR system Patent Term Adjustment History in view of the previous remarks. In addition, it is respectfully requested that the patent term adjustment be re-calculated by the U.S. Patent and Trademark

Office in view of the above remarks. Office personnel are invited to contact Applicant's Attorney via telephone if such communication would be beneficial in fulfilling this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Lione", written over a horizontal line.

Richard G. Lione  
Registration No. 19,795  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200



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## PATENT APPLICATION INFORMATION RETRIEVAL



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## Patent Term Adjustment (PTA) for application number: 09/853,916

			Days
Filing or 371(c) Date:	05-11-2001	USPTO Delay (PTO):	100
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	73
Post-Issue Petitions (days):	+0	Total PTA:	27
USPTO Adjustment (days):	+0	Explanation of Calculations	

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## Patent Term Adjustment History

Date	Contents Description	PTO (days)	APPL (days)
12-09-2004	Mail Notice of Allowance	66	
12-07-2004	Issue Revision Completed	↑	
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05-18-2001	IFW Scan & PACR Auto Security Review	↑	
05-11-2001	Initial Exam Team nn	↑	

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Jan. 6 2005  
RICHARD G. LIONE

Name of applicant, assignee or  
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Richard G. Lione  
Signature

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Our Case No. 5935/57

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

David G. Quinn

Serial No. 09/853,916

Filing Date: May 11, 2001

Title: BLOOD VESSEL CATHETER

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) Examiner: Matthew F. Desanto  
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The patent term adjustment for application serial number 09/853,916 was calculated by the U.S. Patent and Trademark Office based on activities and associated dates detailed in the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History, attached as Exhibit A. Applicant's Attorney believes that errors and/or omissions in the calculation and/or the PAIR system Patent Term Adjustment History may have resulted in an incorrect patent term adjustment for U.S. serial number 09/853,916 as described in detail below. In addition, there were no circumstances during the prosecution of the application resulting in the patent that constitute a failure of the Applicant to engage in reasonable efforts to conclude processing or examination of the present application as set forth in 37 C.F.R. §1.704.

Period of adjustment for activities prior to mailing of Notice of Allowance

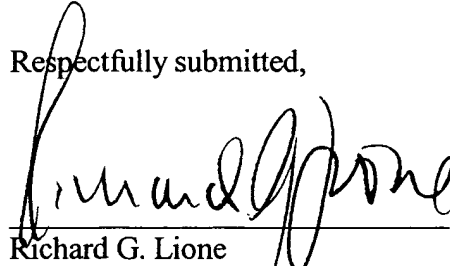
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Serial No. 09/853,916

Date Filed: May 11, 2001

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Lione", written over a horizontal line.

Richard G. Lione  
Registration No. 19,795  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
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(312) 321-4200

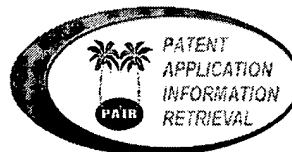




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## PATENT APPLICATION INFORMATION RETRIEVAL



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## Patent Term Adjustment (PTA) for application number: 09/853,916

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Post-Issue Petitions (days):	+0	Total PTA:	27
USPTO Adjustment (days):	+0	Explanation of Calculations	

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: **David G. Quinn**

Appln. No.: **09/853,916**

Filed: **May 11, 2001**

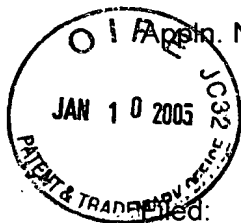
For: **BLOOD VESSEL CATHETER**

Attorney Docket No: **5935/57**

**BRINKS  
HOFER  
GILSON  
& LIONE**

Examiner: **Matthew F. Desanto**

Art Unit: **3763**



Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Transmittal (in Duplicate); Request for Reconsideration of Patent Term Adjustment Pursuant to 37 C.F.R. Section 1.705(d) (in duplicate); and a Copy of the Patent Application Information Retrieval (PAIR) System Patent Term Adjustment History.

- ☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Jan. 6, 2005  
Date

Respectfully submitted,

[Signature]  
Richard G. Lione (Reg. No. 19,795)

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